APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,063	12/30/2003	Daryl Carvis Cromer	RPS920030218US1	8312

61755 ·7590 09/19/2007	EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/748,063	CROMER ET AL.
	Examiner	Art Unit	
	Abdelnabi O. Musa	2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *30 December 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 December 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *30 December 2003* .

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   The instant application having Application No. 10/735965 has a total of 30 claims

pending in the application; there are 5 independent claims and 25 dependent claims, all

of which are ready for examination by the examiner.

Oath/Declaration

2.   The applicant's oath/declaration has been reviewed by the examiner and is found

to conform to the requirements prescribed in **37 C.F.R. 1.63.**

Priority

3.   As required by **M.P.E.P. 201.14(c)**, acknowledgement is made of applicant's

claim for priority based on applications filed on December 30, 2003.

Information Disclosure Statement

4.   As required by **M.P.E.P. 609(C)**, the applicant's submissions of the Information

Disclosure Statements dated December 30, 2003. Is acknowledged by the examiner

and the cited references have been considered in the examination of the claims now

pending. As required by **M.P.E.P 609 C (2)**, a copy of the PTOL-1449 initialed and

dated by the examiner is attached to the instant office action.

Title

5.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

Drawings

6.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show

every feature of the invention specified in the claims. Therefore, validating interface

addresses between user entities must be shown or the feature(s) canceled from the

claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in

reply to the Office action to avoid abandonment of the application. Any amended

replacement-drawing sheet should include all of the figures appearing on the immediate

prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as "amended." If a drawing figure

is to be canceled, the appropriate figure must be removed from the replacement sheet, .

and where necessary, the remaining figures must be renumbered and appropriate

changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering

of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the

applicant will be notified and informed of any required corrective action in the next Office

action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (e) The invention was described in (1) an application for patent, published under section 122(b),
> by another filed in the United States before the invention by the applicant for patent or (2) a
> patent granted on an application for patent by another filed in the United States before the
> invention by the applicant for patent, except that an international application filed under the treaty
> defined in section 351(a) shall have the effects for purposes of this subsection of an application
> filed in the United States only if the international application designated the United States and
> was published under Article 21(2) of such treaty in the English language.

7.   Claim(s) 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith

Pub. No.: (US 2005/0263591 A1)

As per claim 1, Smith teaches an apparatus for verifying an interface

address (an apparatus to identify devices and verifyID addresses in a network,

Abstract; [0170]; [0190]; [0155]; FIGs. 5, 8, 9), the apparatus comprising:

a communication module in electrical communication with a network, the

communication module configured with an interface address (communication

between processing systems though a network [0024]; [0029]; [0033]; [0069]),

the communication module further configured to communicate the interface

address in response to a query (query command to specify device's location

based on their address [0005-0007]; FIG. 6);

and a logic module in electrical communication with the communication

module, the logic module configured to query the communication module, and to

receive the interface address from the communication module (receive tags to

identify devices and configure them among a plurality of devices [0006]; FIG. 1),

the logic module further configured to determine whether the interface address is

invalid, and to mitigate an invalid interface address (upon receipt of a valid

programID command, the tag executes the required programming memory

[0133]; [0138]; interface address identifier [0024]; [0030]; [0033]; [0048]; [0070];

[0096]; See respective their FIGs)

As per claim 2, Smith teaches the apparatus of claim 1 (an apparatus to

identify devices and verifyID addresses in a network, Abstract; [0170]; [0190];

[0155]; FIGs. 5, 8, 9), wherein the interface address is a media access controller

address (computer media and controller unites to control data received and

transmitted from the source unit [0024]; [0025]; [0225]).

As per claim 3, Smith teaches the apparatus of claim 1 (an apparatus to

identify devices and verifyID addresses in a network, Abstract; [0170]; [0190];

[0155]; FIGs. 5, 8, 9), wherein the interface address is determined to be invalid if

the interface address is outside of a specified interface address range (interface

protocol collide when tags are not within the range of the message [0003];

[0043]; [0046]; [0117]; [0167]; See respective FIGs).

As per claim 4, Smith teaches the apparatus of claim 1 (an apparatus to

identify devices and verifyID addresses in a network, Abstract; [0170]; [0190];

[0155]; FIGs. 5, 8, 9), wherein the interface address is determined to be invalid if the interface address is a specified error value (error value and validity of tags within the interface address, errors management and data errors [0006]; [0007]; [0070]; [0076])

As per claim 5, Smith teaches the apparatus of claim 1 (an apparatus to identify devices and verifyID addresses in a network, Abstract; [0170]; [0190]; [0155]; FIGs. 5, 8, 9), wherein the interface address is determined to be invalid if the interface address is received after a specified time interval (specified time interval and interface address range, master clock interval [0155]; [0199]; [0204])

As per claim 6, Smith teaches the apparatus of claim 1 (an apparatus to identify devices and verifyID addresses in a network, Abstract; [0170]; [0190]; [0155]; FIGs. 5, 8, 9), wherein the logic module is configured to mitigate the invalid interface address by isolating the communication module from the network (logic model process to handle interface protocol problems and collisions and perform the required internal operations to ease the process for the reader [0003]; [0028]; [0030]; [0176]; FIGs. 3, 6).

As per claim 7, Smith teaches the apparatus of claim 1 (an apparatus to identify devices and verifyID addresses in a network, Abstract; [0170]; [0190]; [0155]; FIGs. 5, 8, 9), wherein the logic module is configured to mitigate the invalid interface address by deactivating the network (logic model process to handle interface protocol problems and collisions and perform the required

internal operations to ease the process for the reader [0003]; [0028]; [0030];

[0176]; FIGs. 3, 6).

As per claim 8, Smith teaches an interface device (I/O interface devices

and communication devices [0029]; [0065]; [0073] [0224]); , the device

comprising:

an interface communication module in electrical communication with a

network, the communication module configured with an interface address

(communication between processing systems though a network [0024]; [0029];

[0033]; [0069]), the communication module also configured to receive a query

and to communicate the interface address responsive to the query (query

command to specify device's location based on their address [0005-0007]; FIG.

6), the communication module further configured to receive a termination

command (commands to reply or deny a query reply [0005]; [0006-0007]; [0039];

FIGs. 2-4); and

an interface logic module configured to terminate communications

between the communication module and the network responsive to the

termination command (communication to processing system through a network

and protocol communication and protocol connection processes [0024]; [0027];

See respective FIGs).

As per claim 9, Smith teaches the interface device of claim 8 (I/O interface

devices and communication devices [0029]; [0065]; [0073] [0224]), wherein the

interface address is a media access controller address (computer media and

controller unites to control data received and transmitted from the source unit [0024]; [0025]; [0225]) and the interface device is an Ethernet device (an Ethernet network interface device for processing systems communication through the a network [0024]; See Related FIGs).

As per claim 10, Smith teaches a system for verifying an interface address (an identification system to identify devices in a network [0005]; [0008]; [0011]; [0023] See related FIGs), the system comprising:

a network (a network for communications [0024]; [0225]; FIG.1);

an interface device in electrical communication with the network, the interface device configured with an interface address and configured to receive a query and to communicate the interface address responsive to the query (communication between processing systems though a network [0024]; [0029]; [0033]; [0069]); and

a verification device in electrical communication with the network (a communication device to identify devices and verifyID addresses in a network, Abstract; [0170]; [0190]; [0155]; FIGs. 5, 8, 9), the verification device configured to communicate the query to the interface device and to receive the interface address from the interface device, the verification device further configured to determine whether the interface address is invalid and to mitigate the invalid interface address (upon receipt of a valid programID command, the tag executes the required programming memory [0133]; [0138]; interface address identifier [0024]; [0030]; [0033]; [0048]; [0070]; [0096]; See respective their FIGs).

As per claim 14, Smith teaches the system of claim 10 (an identification system to identify devices in a network [0005]; [0008]; [0011]; [0023] See related FIGs), wherein the interface address is determined to be invalid if the interface address is equivalent to a second interface address (equivalence technique for query command to determine the validity of the of the tag [0046] See respective FIG)

As per claim 16, Smith teaches a computer readable storage medium (computer readable media to process data systems [0008]; [0224]) comprising computer readable code for verifying an interface address (electrical product code and other code instructions stored in memory for program execution [0028]; [0030]; [0059]; [0078]), the computer readable code configured to:

query an interface address (query command to specify device's location based on their address [0005-0007]; FIG. 6);

receive the interface address (receive tags to identify devices and configure them among a plurality of devices [0006]; FIG. 1);

determine whether an interface address is invalid (upon receipt of a valid programID command, the tag executes the required programming memory [0133]; [0138]; interface address identifier [0024]; [0030]; [0033]; [0048]; [0070]; [0096]; See respective their FIGs); and

mitigate the invalid interface address (logic model process to handle interface protocol problems and collisions and perform the required internal

operations to ease the process for the reader [0003]; [0028]; [0030]; [0176];

FIGs. 3, 6).

Regarding claims 11-13, and 15 are related to the same limitations set for

hereinabove, where the difference used is the phrase 'system' in the claims. The

citations from the prior art have been inserted where's necessary in the above claims

and were treated accordingly. Furthermore, the wordings of the claims 11-13, and 15

were interchanged within the claim itself and this change does NOT effect/change the

limitations of the above treated claims. The claim's limitations are repeated in many

claims throughout the application. Even in the above treated claims, many of the

phrases were just repeated from previously written claims within the application. Even

though claims 11-13, and 15 have been differently written from the above treated

claims, yet the limitations did NOT change. As mentioned, claim 11 is the same as claim

9, claim 12 is the same as claim 3, claim 13 is the same as claim 4, claim 15 is the

same as claim 6. Again, there is no difference in limitations between claims 11-13, and

15, and the above treated claims.

Regarding claims 17-23 are related to the same limitations set for hereinabove,

where the difference used is the phrase 'computer readable storage' in the claims. The

citations from the prior art have been inserted where's necessary in the above treated

claims accordingly. Furthermore, the wordings of the claims 17-23 were interchanged

within the claim itself and this change does NOT effect/change the limitations of the

above treated claims. The claim's limitations are repeated in many claims throughout

the application. Even in the above treated claims, many of the phrases were just

repeated from previously written claims within the application. Even though claims 17-23 have been differently written from the above treated claims, yet the limitations did NOT change. As mentioned, claim 17 is the same as claim 2, claim 18 is the same as claim 6, claim 19 is the same as claim 7, claim 20 is the same as claim 3, claim 21 is the same as claim 14, claim 22 is the same as claim 4, claim 23 is the same as claim 5. Again, limitations did not change between the above treated claims and claims 17-23.

Regarding claims 24-29 and 30 are related to the same limitations set for hereinabove, where the difference used is the phrase 'method' in the claims. The citations from the prior art have been inserted where's necessary in the above treated claims accordingly. Furthermore, the wordings of the claims 24-29 and 30 were interchanged within the claim itself and this change does NOT effect/change the limitations of the above treated claims. The claim's limitations are repeated in many claims throughout the application. Even in the above treated claims, many of the phrases were just repeated from previously written claims within the application. Even though claims 24-29 and 30 have been differently written from the above treated claims, yet the limitations did NOT change. As mentioned, claim 24 is the same as claim 16, claim 25 is the same as claim 2, claim 26 is the same as claim 6, claim 27 is the same as claim 3, claim 28 is the same as claim 4, claim 29 is the same as claim 14, whereas claim 30 is the same as claim 16 where 'apparatus' has been explained in the prior art and the changes mad to this claim does not make it any different from claim 16. Again, there is no difference in limitations between claims 24-29 and 30, and the above treated claims.

Conclusion

The following prior art made of record and not relied upon is cited to establish the

level of skill in the applicant's art and those arts considered reasonably pertinent to

applicant's disclosure. See **MPEP 707.05(c)**.

The following are analogous art because they are from the same field of

endeavor of validating and identifying interface addresses:

-   Boden Pub. No.: (US-20040122980 A1)

-   Padgett Patent No.: (US-5577202)

-   Hawkins et al. Pub. No.: (US- 20060046686 A1)

-   Kinoshita Pub. No.: (US- 20020107961 A1)

-   Hansen et al. Patent No.: (US- 6442144 B1)

The examiner requests, in response to this Office action, support should be shown for

language added to any original claims on amendment and any new claims. That is,

indicate support for newly added claim language by specifically pointing to page(s) and

line(s) in the specification and/or drawing figure(s). This will assist the examiner in

prosecuting the application.

When responding to this office action, Applicant is advised to clearly point out the

patentable novelty which he or she thinks the claims present, in view of the state of the

art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelnabi O. Musa whose telephone number is 571-2701901. The examiner can normally be reached on Monday Thru Friday: 7:30am to 5:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on 571-2726798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A.M

Supervisory Patent Exmr.